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## Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

Cynthia L. Czuchaj, a California resident; Angelique Mundy, a Pennsylvania resident; Barbara McConnell, a Michigan resident; and Patricia Carter, a New York resident, individually and on behalf of themselves and all others similarly situated.

## Plaintiffs

VS.

Conair Corporation, a Delaware corporation; and DOES 1 through 10, inclusive

## Defendants

} CASE NO. 13CV01901 BEN (RBB)

}  
**CLASS ACTION**

}  
**DECLARATION OF KATHERINE J.**  
**ODENBREIT IN SUPPORT OF**  
**PLAINTIFFS' MOTION FOR AN**  
**ORDER GRANTING PRELIMINARY**  
**APPROVAL OF CLASS ACTION**  
**SETTLEMENT**

s}

Date: , 2016  
Time: 10:30 a.m.  
Judge: Hon. Roger T. Benitez  
Place: Courtroom 5A  
221 West Broadway  
San Diego, CA 92101

1 I, KATHERINE J. ODENBREIT, declare and state as follows:

2       1. I am an attorney duly admitted to practice before this Court. I am Of  
3 Counsel to Mahoney Law Group, APC, and a principal with the law firm of  
4 Katherine J. Odenbreit, APC dba Odenbreit Law, APC, co-counsel of record for  
5 Plaintiffs and the Settlement Class. If called as a witness, I would competently  
6 testify to all facts contained in this declaration.

7       2. I am a 1995 graduate of Western State University College of Law in  
8 Orange County where I earned both my Bachelor of Science in Law and Juris  
9 Doctor Degrees. I have been a licensed practitioner since 1996 and have been  
10 admitted to practice in the following courts: Ninth Circuit Courts of Appeals; United  
11 States District Court, Southern, Central, Northern and Eastern Districts of  
12 California; and all California State Courts. I have also appeared several times before  
13 the Multi District Litigation Panel.

14       3. In 2003, I began working as an Associate Attorney with the law firm  
15 Spiro, Moss, Barness, Harrison & Barge LLP (“Spiro Moss”) in Los Angeles,  
16 California. At the time I was there, the firm had 8-10 attorneys primarily  
17 representing plaintiffs in employment wage and hour and consumer class actions. In  
18 late 2006, Spiro Moss partner, Rene Barge left to open her own firm, Class Action  
19 Litigation Group (“CALG”). I became the Director of Litigation for CALG in  
20 January 2007. CALG’s practice was dedicated to representing plaintiffs in state and  
21 federal wage and hour and collective action matters. As the Director of Litigation, I  
22 oversaw the litigation of all cases, supervised attorneys and staff, and made key  
23 court appearances.

24       4. In 2011, I became Administrative Partner of Barge, Petersen &  
25 Odenbreit LLP in Irvine, California. Barge, Petersen & Odenbreit was a boutique  
26 firm dedicated to representing employees and peace officers in wage and hour and  
27 collective actions. The firm represented over 2,500 Los Angeles Police Department  
28 officers in complicated wage claims in the Central and Southern District Courts.

1 Barge, Petersen & Odenbreit LLP was appointed lead or co-lead counsel in  
 2 numerous state and federal wage and hour class actions.

3       5. In January 2012, I was selected to assist in the creation of a practice  
 4 group, handling consumer and wage and hour class actions, for Hunt Ortmann Palffy  
 5 Nieves Lubka Darling & Mah, Inc. ("Hunt Ortmann") in Pasadena, California. The  
 6 practice group included six lawyers, all with complex litigation experience. Two of  
 7 the attorneys, including myself, had over 15 years experience litigating class actions.

8       6. I have been an attorney for nearly 20 years and have dedicated my  
 9 practice to litigating class action matters on behalf of consumers and employees for  
 10 the past 13 years. I, and firms I have been associated with, have been appointed as  
 11 Class Counsel in over thirty (30) class and collective actions, including: *Dibel v.*  
 12 *Jenny Craig*, USDC Southern District of California, 06CV2533 JLS (AJB) (FLSA  
 13 Conditional Certification); *Levine, et al. v. 24 Hour Fitness*, USDC Southern District  
 14 of California, 02CC00386 and *Boyce v. 24 Hour Fitness*, USDC Southern District of  
 15 California, 03CV2140 BEN (BLM) (FLSA Conditional Certification/Rule 23 Class  
 16 Certification-over 40,000 class members); *Harris v. Liberty Mutual Ins. Co.*, JCCP  
 17 4234; California Supreme Court Case No. S156555; *Salvador v. PLS Financial*  
 18 *Services*, USDC Central District of California; 07CV16810 AHM (CWx); *Lockhart*  
 19 *v. County of Los Angeles*, USDC Central District of California, 07CV1680 ABV  
 20 (CWx); *Oberschlake v. St. Joseph's Hospital*, Orange County Superior Court-  
 21 Complex Division, 04CC00301; *Solley v. Pier 1 Imports*, JCCP 4373; *Homan et al.*  
 22 *v. Downey Savings & Loan*, Los Angeles County Superior Court Case No.  
 23 BV323796; *Levanoff, et al. v. SoCal Wings, LLC, et al.*, Orange County Superior  
 24 Court Case No. 30-2011-00511808-CU-OE-CXC; *Cervantes v. Crown Buidling*  
 25 *Maintenance Co., et al.*, Orange County Superior Court Case No. 30-2013-  
 26 00684702-CU-OE-CXC.

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1       7. Myself and my firms have been active in cases establishing precedents  
2 in class action law, including filing an amicus brief on behalf of the California  
3 Employment Lawyers Association in one of the landmark wage and hour class  
4 action cases, *Sav-On Drug Stores v. Superior Court*, 34 Cal.4th 319 (2004). More  
5 recently, the Supreme Court granted review on a class action on a case for which I  
6 was the lead attorney. (See *Faulkinbury v. Boyd & Associates*, 185 Cal.App.4th  
7 1363, review granted October 13, 2010; California Supreme Court Case No.  
8 S184995). The Supreme Court remanded the matter to the Appellate Court to  
9 reconsider the denial of class certification in light of *Brinker v. Superior Court*, 53  
10 Cal. 4th 1004 (2012). The Appellate Court ultimately reversed denial of class  
11 certification. I was lead counsel in *Brennan v. U.S. TelePacific*, Orange County  
12 Superior Court, 30-2010-00422317; Fourth Appellate District, Division 3, Case No.  
13 G046225. *Brennan* was a consumer class action in which the Court of Appeal  
14 upheld the lower court's denial of defendant's motion to compel arbitration, and  
15 distinguished the U.S. Supreme Court's *AT&T v. Concepcion* decision.

16       8. The first seven (7) years of my legal career my practice was focused on  
17 criminal defense and I tried over 30 cases to a jury in both state and federal courts,  
18 and handled numerous criminal appeals.

19       9. I served as the Chair of the Federal Practice sub-committee of the  
20 California Employment Lawyers Association from 2010 to 2012. I have been invited  
21 to be a guest speaker at many class action seminars, including those sponsored by  
22 Bridgeport, the California Employment Lawyers Association, and the Federal Bar  
23 Association.

24       10. I, in conjunction with my Co-counsel, attended mediation on August  
25 23, 2016, facilitated by the Hon. Leo Papas (Ret.), and participated in the  
26 negotiations. I have been involved with this action since being contacted by Cynthia  
27 Czuchaj over three years ago. Based on my involvement with this case from the  
28 outset, throughout its extensive litigation, including class certification, and given my

1 experience in class action law, it is my view the proposed settlement is fair,  
2 reasonable, and adequate, and in the best interest of the proposed Settlement Class  
3 Members.

4 I declare under penalty of perjury under the laws of the United States of America  
5 that the foregoing is true and correct. Executed on November 4, 2016 in Huntington  
6 Beach, California.

7 /s/ Katherine J. Odenbreit

8 KATHERINE J. ODENBREIT

9

10 **ECF Certification**

11 The filing attorney attests that he has obtained concurrence regarding the  
12 filing of this document from the signatory to this document.

13 Date: November 4, 2016

s/ Jeff Geraci

14 Jeff Geraci (SBN 151519)

15 COHELAN KHOURY & SINGER

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